## MYERS, WIDDERS, GIBSON, JONES & SCHNEIDER, L.L.P.

J. ROGER MYERS MONTE L. WIDDERS KELTON LEE GIBSON **DENNIS NEIL JONES\*** ROY SCHNEIDER ERIK B. FEINGOLD THEODORE J. SCHNEIDER STEVEN P. LEE

OF COUNSEL KATHERINE E. STONE, P.C. JULIE A. SALTOUN GREGORY J. RAMIREZ\*\*\*

> \*ALSO ADMITTED TO THE NEVADA BAR

## ATTORNEYS AT LAW

5425 EVERGLADES STREET Post Office Box 7209 VENTURA, CALIFORNIA 93006-7209 (805) 644-7188 TOLL FREE (800) 711-2611 FACSIMILE (805) 644-7390

> EMAIL: MWGJS@MWGJS.COM WWW.MWGJS.COM

> > July 12, 2012

WILLIAM D. RAYMOND, JR.\*\* MICHAEL S. MARTIN CHARMAINE HILTON BUEHNER JILL L. FRIEDMAN\*\*\* CARLANN POTTS JACQUELYN D. RUFFIN JAMES E. PERERO

\*\*CERTIFIED SPECIALIST - ESTATE PLANNING, TRUST & PROBATE LAW STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION

\*\*\* MEMBER OF AMERICAN BOARD OF TRIAL ADVOCATES

California Department of Water Resources Division of Integrated Regional Water Management Regional Planning Branch 1416 Ninth Street, Room 338 Sacramento, California 95814-5508

Attention: Mr. Tom Lutterman

Carpinteria Valley Water District; Grant Application from the Department of Water Re: Resources Local Groundwater Assistance Fund for a Groundwater Monitoring Well

To Whom It May Concern:

This firm serves as General Counsel to the Carpinteria Valley Water District ("District"). The District has requested that this firm furnish you with a legal opinion related to the District's application for a grant from the Department of Water Resources Local Groundwater Assistance Fund for a Groundwater Monitoring Well.

The District has requested we address the following issues:

- Is the District a local public agency as defined in California Water Code section 1. 10701(a)?
- What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?
- Does the applicant have legal authority to enter into a grant agreement with the State of California?
- Describe any legal agreements among partner agencies and/or organizations that ensure performance of the project and tracking of funds.

California Department of Water Resources Division of Integrated Regional Water Management Regional Planning Branch July 12, 2012 Page 2

Our response to these questions is limited by and based upon the information provided to this firm by the District in regards to this matter. In addition, our legal analysis is expressly limited to an analysis of the District's general powers contained in the District's enabling act. Based upon and relying upon the information provided to us by the District and after examination of such questions of law as we have deemed relevant in the circumstances, but subject to the limitations set forth herein, we are of the opinion that:

- 1, 2 & 3. The District is a county water district organized and validly existing under Water Code section 30000 et seq., commonly referred to as the County Water District Law. The District is a "public agency" as defined by Water Code section 10815 (the relevant section of the Local Groundwater Management Assistance Act of 2000) and serves local functions, and so is a local public agency for purposes of Water Code section 10795 et seq. Further, based upon the authority set out in the County Water District Law, specifically Water Code section 21048, the District has the legal authority to enter into a grant agreement with the State of California for a grant from the Department of Water Resources Local Groundwater Assistance Fund.
- 4. To the best of our knowledge based upon information provided to this firm by the District concerning the form and purposes of this grant application, we are of the opinion there are no partner agencies and/or organizations that ensure performance of the project and tracking of funds.

Very truly yours,

MYERS, WIDDERS, GIBSON, JONES & SCHNEIDER, L.L.P.

J. Roger Myers

J. Roge Myces

JRM:gt

cc: Mr. Charles B. Hamilton, General Manager

Mr. Robert McDonald, District Manager